

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT IN AND FOR

UTAH COUNTY, STATE OF UTAH

PROVO RESERVOIR COMPANY, A
Corporation,

Plaintiff,

vs.

PROVO CITY, et al.,
T. F. WENTZ,

Defendants

NO. 2888 CIVIL

DEMURRER

COMES NOW Utah Power & Light Company, one of the defendants in the above named cause, and demurs to the petition of Provo Reservoir Water Users Company on file herein, upon the following grounds:

1. That said petition does not state facts sufficient to constitute a cause of action.
2. That there is a defect of parties made defendant in said petition, and a defect of parties properly before the court under and by virtue of said petition, in that there are numerous parties in the above named cause who would be adversely affected by the granting of said petition and which said parties are not now before this court, and have had no notice of said petition.
3. That said petition is ambiguous and uncertain in that said petition does not state how much, if any, stored water of Petitioner has been or is being turned into said Provo River; nor how much, if any water is being deducted by T. F. Wentz, Commissioner; nor where said stored water, if any, is being turned into said River and thereafter taken out of said River, nor the distance that said stored water, if any, traverses said River and River system; nor the total quantity of water that is flowing in said River between the points aforesaid.

Geo. R. Corey

A. C. Inman

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Attorneys for Utah Power & Light Company

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A. V. Wentz
Attorneys for Petitioner